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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Silke KOHLHASE et al.

Confirmation No. 6657

Group Art Unit: 1615

Serial No. : 10/759,160

Examiner: unknown

Filed : January 20, 2004

For : PEARLESCENT COSMETIC OR DERMATOLOGICAL
FORMULATIONS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. §§ 1.97-1.98 and supplemental to the Information Disclosure Statement filed September 15, 2004, Applicants hereby direct the Examiner's attention to the following documents cited in the European Search Report for European Patent Application EP 04001129.8 which is a family member of the above-referenced application:

- (1) EP 1 295 589 A1, March 26, 2003, accompanied by an English language abstract thereof (provided by esp@cenet); this document is categorized in the European Search Report as X document, i.e. casting doubt on novelty or non-obviousness by itself. The following passages of this document are indicated as relevant: Paragraphs [0025]-[0031], [0114]-[0136]; claims; examples 1-7;

- (2) EP 1 352 641 A2, October 15, 2003, accompanied by an English language abstract thereof (provided by esp@cenet); this document is categorized in the European Search Report as X document, i.e. casting doubt on novelty or non-obviousness by itself. The following passages of this document are indicated as relevant: Examples 7,8;
- (3) U.S. Patent Application No. 2004/0241105 A1 (RIEDEL et al.), December 2, 2004; Applicants note that this document is a family member of WO 03/022238 A1 which was cited as document (10) in the Information Disclosure Statement filed September 15, 2004; the latter document is categorized in the European Search Report as X document, i.e. casting doubt on novelty or non-obviousness by itself. The following passages of this document are indicated as relevant: Page 17, line 1 – page 28, line 29; examples 2, 3, 5-7;
- (4) DE 199 33 466 A1, January 13, 2000, accompanied by an English language abstract thereof (provided by esp@cenet); this document is categorized in the European Search Report as X document, i.e. casting doubt on novelty or non-obviousness by itself. The following passages of this document are indicated as relevant: Page 7, lines 21-27; examples 11, 12, 15, 17-19;
- (5) WO 02/05769 A1, January 24, 2002; this document is categorized in the European Search Report as X document, i.e. casting doubt on novelty or non-obviousness by itself. The following passages of this document are indicated as relevant: Examples 1, 2, 5, 7, 9, 11;

- (6) U.S. Patent Application No. 2004/0057915 A1 (GERS-BARLAG et al.), March 25, 2004; Applicants note that this document is a family member of document (5);
- (7) WO 01/52800 A1, July 26, 2001; this document is categorized in the European Search Report as A document, i.e. as defining the general state of the art and illustrating the technological background. The following passages of this document are indicated as relevant: Claims;
- (8) U.S. Patent Application No. 2002/0197213 A1 (SCHMENGER et al.), December 26, 2002; Applicants note that this document is a family member of document (7).

Copies of documents (1), (2), (4), (5), (7) and of the European Search Report for European Patent Application EP 04001129.8 are enclosed together with a completed copy of the PTO-1449 Form listing the above documents (1) to (8). Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the next official communication.

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. § 1.98 (a)(2)(I), copies of the published U.S. Patent Applications cited above are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

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Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Commissioner is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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Application No.
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Group
1615

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.